# UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

### **MID-PACIFIC REGION**

# SACRAMENTO, CALIFORNIA

#### FINDING OF NO SIGNIFICANT IMPACT

Resighini Rancheria Water Resources Development Project

#### **FONSI 10-19-MP**

Recommended by:			
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## FINDING OF NO SIGNIFICANT IMPACT Resighini Rancheria Water Resources Development Project

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the Mid-Pacific Regional Office of the U.S. Bureau of Reclamation, has determined that the approval and associated funding to install a community well and associated distribution systems to provide a dependable source of drinking water on the Resighini Rancheria (Rancheria) is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Environmental Assessment (EA), *Resighini Rancheria Water Resources Development Project*, and is hereby incorporated by reference.

#### **BACKGROUND**

Pursuant to the Bureau of Reclamation (Reclamation) States Emergency Drought Relief Act of 1991, as amended (Drought Act), and other authorities, Reclamation is planning to use \$40 million from the American Recovery and Reinvestment Act (ARRA) to fund emergency drought relief projects that can quickly and effectively mitigate the consequences that have resulted from drought conditions in California.

2009 was the third consecutive year of drought conditions in the State of California. Governor Schwarzenegger declared a drought emergency for the entire state. The Resighini Rancheria (Rancheria) is suffering from the prolonged drought and experiencing severe effects to the health and safety of tribal members. In compliance with Section 104 of the Drought Act, the Rancheria has declared a drought emergency and requested Reclamation's assistance for the purpose of installing and developing a community well and associated distribution systems to provide a dependable source of drinking water on the Rancheria.

The tribe is a federally recognized Indian tribe organized under the authority of the Indian Reorganization Act (IRA) of 1934. In 1975 members of the tribe adopted a Constitution and have been actively involved in developing its tribal government and protecting its land base. The people of the tribe are ethnographically known as among those identified as Yurok. The Rancheria is the only Indian Rancheria in the State of California that is situated within the exterior boundaries of lands granted to a separately federally recognized Indian tribe.

The Rancheria is located on the Lower Klamath River on the floodplain adjacent to Highway 101, approximately four miles from the Pacific Ocean in Del Norte County, California. The majority of the land consists of wetlands, arable flood plain and an overflow channel which has been mined for its sand and gravel in years past. The Rancheria consists of 435 acres and all are tribally owned, most held as tribal trust land. Currently some tribal members are living on an area of the Rancheria that their water distribution system does not serve. The tribe has requested funds from Reclamation for the purposes of installing and developing a community drinking well and associated

distribution systems to provide a potable water source to the tribal members who currently do not have access to drinking water on the Rancheria. In addition, the Proposed Action would ensure that the Rancheria has a dependable water source to serve the tribal residences, office buildings, casino and the RV campground during drought conditions or in the event that their existing well fails.

#### **FINDINGS**

Reclamation has prepared an EA which analyzes the impacts of the Proposed Action. Based on the analysis in the EA, Reclamation has found that the construction of a community groundwater well would not result in significant impacts to the environment and does not require the preparation of an EIS. This Finding of No Significant Impact (FONSI) is based upon the following:

This Finding of No Significant Impact is based upon the following:

- **1.** <u>Surface Water Resources</u> The Proposed Action would not increase or decrease surface water in the project area. The well would be constructed within a confined aquifer. The Proposed Action would not result in short-term or long-term adverse impacts to surface water or the resources dependent on surface water.
- 2. <u>Groundwater Resources</u> Under the Proposed Action, groundwater use would increase though is temporary and would not be a significant measurable change to the groundwater resources within the basin due to the minute amount that would be needed to provide a necessary amount of potable water to the temporary living area on the Rancheria. In addition, the new well would supplement the Rancheria's current well if there was a failure or contamination occurred within the public water system. Under the Proposed Action, groundwater use would not result in short-term or long-term significant impacts to groundwater in the Lower Klamath River groundwater basin.
- 3. <u>Geology and Soils</u> The proposed water line would run across a section of riparian grassland which is a pre-disturbed flat area so potential erosion is not expected to occur. The proposed new well site would also be located on relatively flat pre-distrubed land and is not expected to alter the geology or soils of the area. In addition, the area that would be disturbed during installation of the well and distribution systems would be temporary and returned to the existing conditions following the completion of construction activities. The Proposed Action would not significantly affect geology or soils in the project area.
- **4.** <u>Land Use</u> The well would be installed on previously disturbed land which would not impact current land use or result in land use changes. The Proposed Action would not result in short-term or long-term significant impacts to land use in the proposed project area.

- **5.** Biological Resources The Proposed Action area is within the developed footprint of the Rancheria and is a disturbed feature in the landscape. The existing conditions are highly modified from natural conditions, and the Proposed Action area has a long history of human use. The Proposed Action would not include activities that would be located within, or in close proximity to, waters of the U.S. or their associated riparian habitat and therefore, the Proposed Action would not impact listed fish species or species who inhabitat or utalize these areas. The construction activities would be short in duration and the area that would be disturbed during installation of distribution systems would be temporary and returned to the existing conditions following the completion of construction activities. The CNDDB and USFWS websites were reviewed for the potential occurrence of special-status species. Based on known observations and the absence of suitable habitat, there would be no significant affects to listed species resulting from the Proposed Action. The Proposed Action would not result in short-term or long-term significant impacts to biological resources in the project area or surrounding area. In addition, due to the Proposed Action area being previously disturbed, no wilderness designations or unique ecosystem, biological community or its inhabitants are expected to be impacted by the project.
- 6. <u>Cultural Resources</u> The Proposed Action is the type of activity that has the potential to affect historic properties on the Rancheria. Reclamation determined that no historic properties will be affected by project implementation; therefore, no cultural resources would be impacted as a result of implementing the Proposed Action. Reclamation consulted with the State Historic Preservation Officer (SHPO), as well as with the Resighini Rancheria on the same basis as the SHPO since this project is located on Tribal lands, regarding this determination. Concurrence from the SHPO and Resighini Rancheria is pending. The determination of cumulative effects of the Proposed Action on cultural resources is, therefore, pending. The project will not be implemented until the Section 106 compliance process has been completed.
- 7. <u>Indian Trust Assets</u> The Proposed Action would be conducted within the Rancheria and therefore would not adversely impact ITAs.
- **8.** <u>Environmental Justice</u> The Proposed Action would not disproportionately impact economically disadvantaged or minority populations. In fact, the Proposed Action would address existing negative effects upon a minority population and improve the standard of living by providing a potable water source to tribal members.
- **9.** <u>Global Climate Change</u> Implementation of the Proposed Action would be expected to result in a slight temporary net increase in greenhouse gas (GHG) emissions associated with short-term construction activities. While any increase in GHG emissions would add to the global inventory of gases that would contribute to global climate change, the Proposed Action would result in only a very slight increase in GHG emissions from temporary sources. The Proposed Action would

not include any significant change on the composition of the atmosphere and therefore would not result in adverse impacts to climate change.

**10.** <u>Cumulative Impacts</u> - The Proposed Action would not result in significant cumulative impacts to surface water resources, groundwater resources, geology and soils, land use, biological resources, ITAs, environmental justice, or global climate change.